

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
JUDICIARY**

Wednesday, August 24, 2005

10:30 a.m.

Room 308 House Office Building

The House Standing Committee on Judiciary was called to order by **Representative William Van Regenmorter**, Chair.

MEMBERS PRESENT: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith.

MEMBERS ABSENT/EXCUSED: Representatives McConico and Bieda.

Representative Newell moved to adopt the minutes of the **June 28** and **June 29, 2005** meetings. The motion was supported by **Representative Schuitmaker**. There being no objection, the motion prevailed by unanimous consent.

Chairman Van Regenmorter laid **SB 615** before the committee:

SB 615	Hardiman	Children; child care; criminal background checks for licensees, employees, and certain contract workers at child care centers and day care centers; require.
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TESTIMONY

Kelly Bartlett, from Senator Hardiman's office, testified in support of the legislation.

Karyn Ferrick, from the Senate Policy Office, testified in support of the legislation.

Jim Sinnamon, representing the Department of Human Services, Office of Children and Adult Licensing, submitted a card indicating support of the legislation in concept, and did not wish to speak.

Ron Hicks, representing the Department of Human Services, submitted a card indicating support of the legislation's goals and concept, and did not wish to speak.

Paul Stankewitz, representing the Michigan Catholic Conference, submitted a card indicating support of the legislation, and did not wish to speak.

Chairman Van Regenmorter laid **SB 606** and **SB 607** before the committee:

SB 606	Bishop	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of failing to report sex offender registration information to police agency; revise to reflect increased penalties.
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SB 607 **Patterson** Criminal procedure; sex offender registration; penalties for failing to report certain sex offender registration information to police agency; revise, and require report upon vacating residence.

TESTIMONY

Matt Bolger, representing the Michigan State Police, testified in support of the legislation.

Matt Miner, from Senator Bishop's office, submitted a card indicating support of the legislation and was available to speak if needed.

Ellen Hoekstra, representing Michigan Coalition Against Domestic Sexual Violence, submitted a card indicating support of the legislation and did not wish to speak.

Chris Gillett, from Senator Patterson's office, submitted a card indicating support of the legislation and was available to speak if needed.

David Newman, representing the Department of Corrections, submitted a card indicating neutrality regarding the legislation and did not wish to speak.

Chairman Van Regenmorter laid **SB 416** before the committee:

SB 416 **Cropsey** Crimes; other; sale or rental of ultra-violent video games to individuals under 17 years of age; prohibit and provide penalties.

TESTIMONY

John Lazet, from Senator Cropsey's office, testified in support of the legislation.

Jay Semerad, representing the Local Game Development – Audio, testified in opposition to the legislation.

Larry Meyer, President & CEO of the Michigan Retailers Association, testified in opposition to the legislation.

Kiernan Marion, from Dykema Gossett, representing the Interactive Entertainment Merchants Association, testified in opposition to the legislation.

Mohammad Dar, representing the Local Game Development – U of M, testified in opposition to the legislation.

Sally Jefferson, representing the Entertainment Software Association, submitted a card indicating opposition to the legislation and did not wish to speak.

The committee returned to the consideration of **SB 615**.

Representative Nofs moved to adopt the substitute (**H-1**) to **SB 615**. The motion was supported by **Representative David Law**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,
Nays: None,
Pass: None.

Representative Jones moved to adopt the following amendments to the substitute (**H-1**). The motion was supported by **Representative Newell**.

1. Amend page 1, line 2, after “**OR**” by inserting “**A LICENSE TO OPERATE**”.
2. Amend page 2, line 5, after “**OR**” by inserting “**A LICENSE TO OPERATE**”.
3. Amend page 3, line 6, after “**REGISTRANT**” by inserting “**; LICENSEE**”.
4. Amend page 3, line 9, after “**REGISTRATION**” by inserting “**OR A LICENSE**”.
5. Amend page 4, following line 5, by inserting:
“(vii) Any misdemeanor that is a listed offense.
(c) A violation of a substantially similar law of another state, of a political subdivision of this state or another state, or of the United States.”.
6. Amend page 4, line 18, after “**REGISTRANT’S**” by inserting “**OR LICENSEE’S**”.
7. Amend page 4, line 26, after “**REGISTRATION**” by inserting “**OR LICENSE**”.
8. Amend page 4, line 27, after “**REGISTRATION**” by inserting “**OR LICENSE**”.
9. Amend page 5, line 4, after “**OR**” by inserting “**A LICENSE TO OPERATE A**”.
10. Amend page 5, line 5, after “**REGISTRANT**” by inserting “**OR LICENSEE**”.
11. Amend page 5, line 12, after “**OR**” by inserting “**LICENSE UNDER THIS ACT TO OPERATE A**”.
12. Amend page 5, line 14, after “**OR**” by inserting “**LICENSE TO OPERATE A**”.
13. Amend page 5, line 21, by striking out all of subsection (2) and renumbering the remaining subsection.
14. Amend page 5, line 23, after “**REGISTRATION**” by inserting “**OR LICENSE**”.
15. Amend page 6, following line 2, by inserting:
“(3) If a search of ICHAT reveals that a person over 18 years of age residing in the home has been convicted of a listed offense, the department shall not issue a certificate of registration or license to the applicant, shall not renew a certificate of registration to the registrant or license to the licensee applying for renewal, or shall revoke a current registrant’s certificate of registration or current licensee’s license.”.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,
Nays: None,
Pass: None.

Representative Condino moved to report **SB 615** with recommendation, as substitute **(H-2)**. The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,
Nays: None,
Pass: None.

The committee returned to the consideration of **SB 607**.

Representative Nofs moved to adopt the following amendment to **SB 607**. The motion was supported by **Representative Elsenheimer**.

1. Amend page 6, line 14, after "effect" by striking out the balance of the enacting section and inserting "January 1, 2006".

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,
Nays: None,
Pass: None.

Representative Newell moved to report **SB 607** with recommendation, as amended. The motion was supported by **Representative Schuitmaker**.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,
Nays: None,
Pass: None.

The committee returned to the consideration of **SB 606**.

Representative Nofs moved to adopt the following amendment to **SB 606**. The motion was supported by **Representative Schuitmaker**.

1. Amend page 4, line 2, by striking out "October 15, 2005" and inserting "January 1, 2006".

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,

Nays: None,

Pass: None.

Representative Jones moved to report **SB 606** with recommendation, as amended. The motion was supported by **Representative Stakoe**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,

Nays: None,

Pass: None.

The committee returned to the consideration of **SB 416**.

Representative Nofs moved to adopt the substitute (**H-1**) to **SB 416**. The motion was supported by **Representative Lipsey**.

The motion prevailed by a vote of **12-1-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,

Nays: Representative Van Regenmorter,

Pass: None.

Representative Nofs moved to report **SB 416** with recommendation, as substitute (**H-1**). The motion was supported by **Representative Stakoe**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,

Nays: None,

Pass: None.

Chairman Van Regenmorter laid **SB 463** before the committee:

SB 463 Van Woerkom Crimes; other; disseminating sexually explicit matter to minor; include video games.

Representative Rocca moved to adopt the substitute (**H-1**) to **SB 463**. The motion was supported by **Representative Virgil Smith**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,
Nays: None,
Pass: None.

Representative Elsenheimer moved to adopt the following amendment to the substitute (**H-1**). The motion was supported by **Representative Virgil Smith**.

1. Amend page 3, line 24, by striking out all of subdivision (b) and relettering the remaining subdivisions.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,
Nays: None,
Pass: None.

Representative Jones moved to report **SB 463** with recommendation, as substitute (**H-2**). The motion was supported by **Representative Nofs**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,
Nays: None,
Pass: None.

Representative Rocca moved to excuse absent members from committee. The motion was supported by **Representative Stakoe**. There being no objection, the motion prevailed by unanimous consent.

There being no further business to come before the committee, the Chair adjourned the meeting at 12:09 p.m.

Representative William Van Regenmorter, Chair
House Standing Committee on Judiciary
Malika Abdur-Rashid
Committee Clerk
517-373-7256
1 hr. 39 minutes